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PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS: FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS

Special representatives, envoys and related positions

Eighth report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/48/26) concerning special representatives and envoys. The addendum to that report (A/C.5/48/26/Add.1) provides an update of information included in the annex to the report. During the consideration of the report by the Advisory Committee, the representatives of the Secretary-General provided additional information to the Committee.

2. As reflected in paragraph 3 of the report of the Secretary-General (A/C.5/48/26), the designation of special representatives and envoys can be grouped in the following three categories:

(a) Special representatives and other high-level positions in peace-keeping or observer missions authorized by the Security Council;

(b) Envoys appointed to assist the Secretary-General in the exercise of his good offices and related functions;

(c) Other special high-level positions, including Special Advisers to the Secretary-General.

3. As indicated in the addendum to the report of the Secretary-General (A/C.5/48/26/Add.1), as at 29 April 1994, there were 40 high-level positions of special representatives, envoys and advisers (21 at the Under-Secretary-General

level and 19 at the Assistant Secretary-General level). The Committee understands that all 40 officials report directly to the Secretary-General. Twenty-three officials are assigned to peace-keeping missions (7 at the Under-Secretary-General level and 16 at the Assistant Secretary-General level), 13 officials performing good offices or related functions (10 at the Under-Secretary-General level and 3 at the Assistant Secretary-General level) and 4 officials at the Under-Secretary-General level assisting the Secretary-General in various capacities. Out of the total of 40 special representatives, envoys and advisers appointed at the Under-Secretary-General or Assistant Secretary-General levels, 4 officials assist the Secretary-General on the basis of $1-a-year honorarium and/or reimbursement of travel expenses, and one official does not receive any remuneration.

4. The report of the Secretary-General does not include information on special representatives, envoys and advisers appointed at the D-2 level and below. Upon inquiry, the Committee was informed that not included in the report was a position of the Special Representative of the Secretary-General to the Movement of Non-aligned Countries. The Committee is not in a position to indicate, at the present stage, whether or not there are other special representatives at the D-2 level and below appointed to other entities. The Committee regrets the lack of information in this respect and requests that the Secretary-General include information on posts and positions of special representatives, envoys and advisers at all levels in his report to be provided in the context of the recommendations contained in paragraph 16 below.

5. The Advisory Committee notes that the number of high-level positions of special representatives, envoys and advisers of the Secretary-General has increased substantially over a relatively short period of time. While the Advisory Committee recognizes the prerogatives of the Secretary-General to make appointments to the established posts of special representatives, envoys and advisers, it points out that current financial regulations and budgetary procedures should be fully complied with. In this connection the Advisory Committee requests the Secretary-General to continue his efforts to define functions and responsibilities more clearly with a view to avoiding any possible duplication with those of existing high-level posts. The Advisory Committee requests the Secretary-General to provide to the General Assembly at its forty-ninth session, in the context of the request contained in paragraph 16 below, additional information on the total number of all special representatives, envoys and advisers serving for any duration in the period from 1990 to 1994 and the related means of financing such posts and positions.

6. The majority of high-level positions (23) referred to in the report of the Secretary-General are in peace-keeping or observer missions that have been authorized by the Security Council (category (a) as per the classification outlined in paragraph 3 of the report of the Secretary-General). The Committee notes the Secretary-General's statement in paragraph 4 that:

> "While these positions have been required in the past, the last two years have witnessed a major expansion of the demands placed on the Organization in this respect, in terms of both the number of such missions and their complexity and scope."

Upon inquiry, the Advisory Committee was informed that, on an annualized basis, the total budgeted remuneration in this category of high-level positions amounts to approximately $4.3 million.

7. The Advisory Committee points out in this connection that support costs, such as secretarial assistance, travel, communications, rental of office space and so on provided to all three categories of high-level appointments, are not included in the estimates (see para. 6 above and paras. 13 and 14 below). The Advisory Committee recommends that the estimates for such associated costs be standardized to the extent possible and be provided in future submissions along with the estimated costs of remuneration.

8. The appointments to high-level positions in peace-keeping or observer missions should be made by the Secretary-General in accordance with the relevant staffing tables included in the budgets approved by the General Assembly after review by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee. The Advisory Committee welcomes the intention of the Secretary-General "to provide a full description of the functions and responsibilities envisaged for such posts in the context of the structure of each mission" (A/C.5/48/26, para. 17).

9. Upon inquiry, the Advisory Committee was informed that out of the total of 23 high-level positions in peace-keeping or observer missions authorized by the Security Council, 19 posts are filled by officials who hold fixed-term contracts, 3 officials are appointed on a "when actually employed" basis and 1 post of Chief of Staff of the United Nations Truce Supervision Organization (UNTSO) currently remains vacant.

10. The Committee was also informed that the "when actually employed" appointment may represent a few days or a few months when the nature of the assignment requires the official to work full time for that period. Such appointments have a time limit (usually one year). The designation of the "when actually employed" status is in no way meant to imply that the functions and responsibilities should be limited in any way; it simply reflects the contractual status of the employee. As stated in paragraph 16 of the report of the Secretary-General:

> "Appropriate emoluments are determined in accordance with the Staff Rules and Regulations and, in cases where the mission or assignment is for a limited duration, these entitlements are prorated for the length of employment".

11. Upon inquiry, the Committee was informed that the calculation of the daily salary was based on 21.75 working days per month or 261 days per year. In the United Nations this represented the standard for an employee who works on a 12-month basis. The Advisory Committee does not believe that the factor of 261 days should be used for determining daily salary of officials who work on a "when actually employed" basis. The Committee recommends that 365 days be used for the calculation of the daily salary of high-level officials working on a "when actually employed" basis.

12. The appointments in category (b) relate to envoys of the Secretary-General in the exercise of his good offices and related functions. As stated in paragraph 7 of the report:

> "The number of situations where the United Nations and its Secretary-General have been called upon to assist Member States has considerably increased during the last two years, resulting in a corresponding increase in the number of such appointments."

13. The Committee was informed that within this category of high-level positions five officials are appointed on a "when actually employed" basis, three officials hold fixed-term contracts, three officials assist the Secretary-General on a $1-a-year basis, one official is employed on a special service agreement and one official does not receive any remuneration. Upon inquiry, the Committee was informed that, on an annualized basis, total budgeted remuneration of officials in this category of high-level positions amounts to approximately $1.3 million (see para. 7 above).

14. In paragraph 12 of his report the Secretary-General indicates that category (c) of high-level positions represents a small number of eminent and highly experienced officials appointed by the Secretary-General (all at the Under-Secretary-General level) to assist him directly in the discharge of certain aspects of his responsibilities. Assignments within this category are normally of a temporary or time-bound nature and some of the officials concerned may be entrusted with a number of different responsibilities, including functions in connection with the Secretary-General's exercise of his good offices and related functions. Upon inquiry, the Committee was informed that within this category of high-level positions three officials held fixed-term contracts with the Organization and one official advised the Secretary-General on a $1-a-year basis. On an annualized basis, the total budgeted remuneration was estimated by the Secretary-General at approximately $680,000 (see para. 7 above).

15. The Advisory Committee understands that provisions of the United Nations Staff Regulations and Rules apply to officials appointed to high-level positions who hold fixed-term contracts with the Organization. However, the Advisory Committee was not in a position to ascertain to what extent provisions of the Staff Regulations and Rules apply to officials appointed on a "when actually employed" basis or who have other forms of contractual arrangement with the United Nations (i.e. special service agreement, $1-a-year honorarium or no remuneration). Among the issues that also need to be addressed is the question of ensuring impartiality of those officials who, while representing the Secretary-General of the United Nations, also continue responsibilities in another capacity (e.g. who continue to serve or represent their Governments).

16. The Advisory Committee recommends that these matters be clarified as soon as possible and that such special guidelines as would need to be applied to these types of contractual arrangements be proposed to the General Assembly. The proposals of the Secretary-General in this regard should contain a set of objective criteria for determining the level of such positions and the form of remunerations to be used. Furthermore, the Secretary-General should also report on the implementation of paragraph 1 of Article 100 of the Charter of the United

Nations and the relevant provisions of General Assembly resolutions 41/213 of 19 December 1986 and 46/232 of 2 March 1992 (see also paras. 4 and 5 above).

17. The Advisory Committee welcomes the intention of the Secretary-General "to consult and inform Member States in a timely and effective manner" (A/C.5/48/26, para. 19) in respect of all the positions described in his report. In this connection, the Committee recommends that the establishment of all high-level positions of special representatives, envoys and advisers that are not against established or temporary posts considered and approved by the General Assembly under the regular budget or in the context of its consideration of the financing of peace-keeping operations (including through the support account) be made in accordance with the relevant Financial Regulations and Rules and with the prior concurrence of the Advisory Committee. In accordance with the terms of section II, paragraph 2, of General Assembly resolution 35/217 of 17 December 1980, the Advisory Committee already considers requests of the Secretary-General concerning extrabudgetary posts at the D-1 level and above. Furthermore, prior concurrence of the Committee should be sought in those cases where use of existing posts or positions is contemplated to accommodate functions that are different from those which were envisaged when those posts or positions were initially approved. The Committee recommends that the General Assembly take note of the annex to the addendum to the report of the Secretary-General. The Committee also recommends that the Secretary-General include in his annual publication of the list of staff issued in accordance with General Assembly resolution 47/226 of 8 April 1993 the names of all officials appointed by him as his special representatives, envoys or advisers.